



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JEROME L. ELKIND

Serial No. 09/965,140 (TI-33085)

Filed September 26, 2001

For: POCKET ANALYSER

Art Unit 1743

Examiner Samuel P. Siefke

Customer No. 23494

Director of the United States  
Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached document is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to Director of the United States Patent and Trademark Office, P.O. Box 1450,, Alexandria, VA 22313-1450 or is being facsimile transmitted on the date indicated below:

\_\_\_\_\_  
Jav M. Cantor, Reg. No. 19.906

**DECLARATION UNDER 37 C.F.R. 1.131**

Sir:

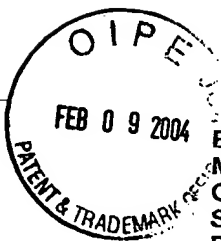
JEROME L ELKIND declares as follows:

1. That he is the applicant in the subject application;
2. That he conceived and reduced to practice the invention as claimed in the subject application prior to May 14 2001;
3. That the attachment hereto is a progress report dated prior to May 14, 2001 showing that simply shaking the Spreeta<sup>TM</sup> sensor with reagents on the surface is just as effective as flowing those reagents across the sensing surface. This was demonstrated using both a tabletop laboratory shaker as well as with a small pager motor (the kind that makes pagers vibrate).

4. That the term SPREETA<sup>TM</sup> is the trademark of Texas Instruments Incorporated for the analytical testing instrument of the type shown in the drawings of the subject application.

2/3/04  
Date

Jerome L. Elkind  
Jerome L. Elkind



From:  
Sent:  
To:

Elkind, Jerry

Monday, September 25, 2000 8:55 AM

Chiang, Ming; Melendez, Jose; Whitmarsh, Donna; Carr, Rick; Bartholomew, Dwight;  
Sciaccia, Michael; Strong, Anita; Smith, Pat; Elkind, Jerry; Martin, Tom; Huhmer, Andreas;  
Deng, Keran; Prewett, Anne; Sullivan, Jean; England, William  
Progress Report - 9/22/00

Subject:

Progress Report

September 22, 2000

Jerry Elkind

### SPREETA Customer Development:

Pepsi: Flomatic is making good progress on retrofittable nozzle designs that incorporate Spreeta. We are working hard to make solid measurements in the harsh, and often unpredictable, Fountain environment.

Prolinx: The Team is closing on the last remaining design issues.

Bayer: Legal issues are complete. We are waiting on material transfer.

Kit Business Txfer: Almost complete.

DARPA/EPA: ETV is complete. We did very well and learned a great deal!!

Vitality: We are deciding how to proceed.

Automotive: Brake fluid samples from Continental-Teves have been received.

### SPREETA Technical Development:

DARPA/EPA: Anita is writing our report. I am convinced that we could make a Spreeta TNT Detection Kit and sell it successfully.

Product Development: This week we verified that simply shaking the Spreeta sensor with reagents on the surface is just as effective as flowing those reagents across the sensing surface. This was demonstrated using both a tabletop laboratory shaker as well as with a small pager motor (the kind that makes your pager vibrate). This could enable a very simple, small and inexpensive Spreeta instrument and allow us to capitalize fully on Spreeta's strengths. Question of the week: Why don't we build and sell such an instrument?

#### Fountain Measurements:

Thermal: We are working to understand the various and sundry thermal effects associated with fountain measurements.

Surface: We are working to understand the cleaning and fouling cycles.

We will begin meeting regularly on these topics.

Tiny Spreeta: Outstanding issues include how best to attach the polarizer, and how the mirror will be formed. Pat found what look to be excellent mini-card-edge connectors.

Misc: